

CHAPTER 4

REGULATIONS OF GENERAL APPLICABILITY

PART I: GENERAL REGULATIONS

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4.1 USE OF LAND AND BUILDINGS

In each zoning district the following restrictions shall control the use of land and buildings:

- A.** All business activity, service, storage, storage, merchandise, display and, where permitted, repair and processing, shall be conducted wholly within an enclosed building except where specifically provided otherwise. Permitted off-street parking lots, off-street loading facilities, and permitted outdoor sales lots need not be enclosed.
- B.** With the exception of in the R-8 General Residential District, not more than one (1) principal building shall be located on any zoning lot in a residential district.
- C.** Unless otherwise provided by this Ordinance, all lots or parcels shall abut upon a public street or a private street, where permitted.

4.2 ALLOWABLE OBSTRUCTIONS

Accessory uses and structures, and projections of the principal structure, may only be located in a required yard as indicated in the following table. An “X” indicates that the obstruction is permitted, subject to any applicable conditions included in the Table or within this Chapter.

Table 4.2 Allowable Obstructions (Required Yards)

Type of Structure or Use Obstruction	Front Yards and Corner Side Yards	Interior Side Yards	Rear Yards
Air conditioners which are window units projecting not more than eighteen (18) inches into any required yard	X	X	X
Antennas (Subject to Section 4.7)			X
Arbors and trellises	X	X	X
Awnings and canopies which project no more than five (5) feet from an exterior wall (See Section 4.13 for signage regulations, where applicable)	X	X	X
Balconies projecting not more than five (5) feet from an exterior wall	X		X
Bay windows, except they may not exceed one-story in height	X, provided they do not project more than three (3) feet from an exterior wall into a required front yard	X, provided they do not project more than eighteen (18) inches into a required side yard	X
Ground-mounted central air conditioning, heating, ventilating, compressors, pool and filtering equipment			X, provided they are not within ten (10) feet of any property line
Chimneys		X, provided they do not project more than eighteen (18) inches into a required side yard	X, provided they do not project more than eighteen (18) inches into a required rear yard
Compost pile/structures			X, provided they are not within ten (10) feet of any property line.
Decks (attached, uncovered, elevated from ground level)		X, provided they are less than two (2) feet in height and are a minimum of three (3) feet from the side property line	X, provided they are no closer than the applicable required side yard setback and no closer than ten (10) feet to the rear property line.
Dog houses			X

Table 4.2 Allowable Obstructions (Required Yards)

Type of Structure or Use Obstruction	Front, Corner Side Yards	Interior Side Yards	Rear Yards
Eaves, including gutters	X	X, provided they do not project more than eighteen (18) inches into any required side yard	X
Fences or walls (Subject to Section 4.5)	X	X	X
Fire escapes (open)		X	X
Flag poles	X	X	X
Garages, detached (Subject to Section 4.4)			X
Garbage Cans, Residential			X, provided they are at least five (5) feet from rear lot line and the required side yard distance from the side lot line.
Gazebos (Subject to Section 4.4)			X
Laundry drying equipment (clothes lines and poles)			X
Ornamental lighting standards and permanently anchored lawn furniture and decorations such as benches, sundials, statues, bird bathes, sculptures, etc.	X	X	X
Parking (open, off-street) (Subject to Section 4.10)	X	X	X
Playground equipment and playhouses, excluding equipment located on public parks and playgrounds or on school or day care center playgrounds, tot lots			X, provided they are located no closer than five (5) feet to any property line
Porches (attached, covered, and unenclosed)	X, provided they do not project more than five (5) feet into the required front yard, but shall not be closer than fifteen (15) feet to the front or corner side lot line		X, provided they are no closer than the applicable required side yard setback and no closer than ten (10) feet to the rear property line.

Table 4.2 Allowable Obstructions (Required Yards)

Type of Structure or Use Obstruction	Front, Corner Side Yards	Interior Side Yards	Rear Yards
Recreational equipment with the exception that basketball standards and backboards shall be permitted in all yards			X
Satellite dish antennae (Subject to the standards of Section 4.7)			X
Signs (Subject to Section 4.13)	X	X	X
Sheds and storage structures for garden equipment not exceed more than one hundred (100) square feet(sheds for propagation or keeping of birds, poultry or livestock are prohibited) (Subject to Section 4.4)			X
Steps, open and not exceeding four (4) feet in height	X	X	X
Swimming pools			X, provided they are not closer than ten (10) feet from any property line
Tennis courts			X, provided that they are no closer than ten (10) feet from any property line
Terraces and patios, at ground-level (does not include permanently roofed-over terrace, deck, or porch)	X, provided they are located a minimum of fifteen (15) feet from any front or corner side lot line	X	X
Transformers		X non-residential districts only	X

4.3 VIEW OBSTRUCTION

No person shall plant, construct, or maintain upon any land or premises within the Village any hedge, wall, fence, or other structure or object which will interfere with, obstruct the view of or create a safety hazard for any motor vehicle being driven on a public street, whether such obstruction is on public or private property. In addition, no person shall plant, construct, or maintain upon any land or premises within the Village any hedge, wall, fence, or other structure or object above three (3) feet in height, as measured from the adjacent roadway, within a Sight Distance Zone as defined in this Ordinance. See Illustration 7 in Chapter 4 Part IV. Signs.

4.4 ACCESSORY BUILDINGS, USES, AND STRUCTURES

General Provisions

1. Authorization. All accessory buildings, uses and structures shall conform to the applicable requirements of this Ordinance. The provisions set forth below establish additional requirements and restrictions for particular accessory buildings, uses and structures. Except as otherwise provided in this Chapter, no accessory building, use or structure shall be approved, established or constructed before the principal use or structure is approved, established or constructed. In addition, an accessory building, use or structure shall be under the same ownership or control as the principal building use or structure, and shall be, except as expressly authorized by the provisions of this Ordinance, located on the same lot as the principal building, use or structure.
2. Area Limitations.
 - a. Accessory Buildings. Accessory buildings shall be counted toward the total permitted lot coverage, per the zoning district regulations. The total area of all accessory buildings located on a single property shall not exceed ten (10) percent of the total lot area. However, in no case shall the maximum lot coverage requirement for the zoning district be exceeded.
 - b. Accessory Uses and Structures. Accessory uses and structures shall comprise not more than thirty-five (35) percent of the rear yard of a lot in a Residential District.
3. Height Limitation. Except where specifically authorized elsewhere in this Ordinance, the height of accessory buildings shall conform to the following:
 - a. In Residential Districts and the B-R Mixed Business Residential District. The height of accessory buildings shall not exceed fourteen (14) feet.
 - b. In all other districts, the height of accessory buildings or structures shall not exceed the maximum permitted height of principal buildings in the zoning district.
4. Setbacks for Accessory Buildings
 - a. No accessory buildings, except as otherwise provided in Section 4.2 (Allowable Obstructions) or elsewhere in this Ordinance, shall be located in a required front yard, corner side yard, nor between the front of the principal building and front lot line.
 - b. Accessory buildings shall also be required to meet the required minimum interior side yard setback, except that accessory buildings located in the rear yard may be located within three (3) feet of the interior side lot line and within five (5) feet of the rear lot line. Accessory buildings located in the rear yard of a corner lot shall be required to meet the corner side yard requirement.
5. Proximity to Other Buildings. No accessory building shall be located within five (5) feet of the nearest wall of any principal building.

6. Occupancy Limitation. No accessory building shall contain living quarters except as may be herein provided.
7. Garage Limitation. Only one (1) garage shall be permitted on any lot used for a single- family dwelling.
8. Refuse Containers.
 - a. Location. In every zoning district other than single family residential districts, refuse containers shall be located only in the rear of the building. No refuse containers shall be located between a building and a corner side lot line.
 - b. Screening. All refuse containers shall be fully enclosed by walls not less than the height of the containers, and provided with gates to contain trash. The materials used for the walls shall complement the architecture of the building, and shall be constructed of wood, brick, or stone.
 - c. Shared dumpsters with adjacent properties are encouraged

4.5 FENCES

A. Permitted Height of Fences in B-R and Residential Districts

1. Front Yards. In all B-R and Residential districts, front yard fences shall not exceed three (3) feet in height, as measured from the ground adjacent to the top horizontal elements of the fence. Pickets, posts, and other vertical elements may existing beyond the top horizontal element by no more than six (6) inches.
2. Corner Side Yards. Fences in corner side yards shall be required to meet the above height requirement under 4.5(A)(1) for front yards.
3. Rear and Side Yards. In B-R and Residential Districts, rear and side yard fences shall be a maximum of six (6) feet in height, as measured from the grade at the base to the top of the fence.
4. Through Lots Having Rear Yards Abutting Arterial Roads. Fences on through lots having the rear yard abutting an arterial road shall have a maximum height of six (6) feet, provided however that the appearance, structure and design of such fences shall be compatible and in harmony with the neighborhood and adjacent and contiguous property, subject to the approval of the Zoning Official. In the event the applicant disagrees with the decision of the Zoning Official, the application shall be reviewed by the Architectural Review Commission, whose decision shall be final.

B. Permitted Height of Fences in Business and Manufacturing Districts

1. Front Yards. In Business and Manufacturing Districts, decorative fences or screen walls in front yards shall not exceed three (3) feet in height, unless increased height is required by a special use or planned development ordinance, to ensure adequate screening.
2. Corner Side Yards. Fences in corner side yards shall be required to meet the above height requirement under 4.5(B)(1) for front yards.
3. Rear and Side Yards. In Business and Manufacturing districts, rear and side yard fences and walls shall be a maximum of six (6) feet in height unless an increase in height not to exceed eight (8) feet is approved by special use or planned development ordinance.

C. Location, Construction, and Maintenance of Fences, Walls, and Hedges

1. All fences shall be constructed of wood, brick, stone, wrought iron or similar decorative material. Chain link fences shall not be permitted in front yards.
2. In front and corner side yards in residential districts, fences shall be open a minimum of thirty-three (33) percent across the gross surface area from one end of the fence to another.
3. In front yards, an opening or gate not less than two and one-half (2.5) feet in width shall be provided to permit access to the front yard.
4. In front yards, the fence shall be parallel to the front and side lot line of the front yard, except where such placement would create a safety hazard, as reasonably determined by the Zoning Official.
5. Fences may be constructed up to the property line.
6. If the fence is designed so that one (1) side has a more finished appearance, the more finished side shall be constructed on the outside. If a screen fence is designed with posts, the posts shall be placed on the inside of the fence or centered on the plane of the screening.
7. No wire or barbed wire fences shall be permitted in the Village, unless approved by special use or planned development ordinance.
8. No fence, wall, or hedge shall be erected or planted within a public right-of-way.
9. All hedges shall be planted and maintained so as not to overhang or interfere with the use of the public way such as a sidewalk, alley or street.
10. All fences, walls, or hedges shall be maintained in good, structurally sound repair and in a neat, clean and attractive condition.
11. For aesthetic purposes, as well as to maintain property values, it is desirable that the appearance, structure and design of front yard fences shall be compatible and in harmony with other front yard fences in the Village, particularly in the neighborhood and on adjacent and contiguous property. The Zoning Official may suggest changes or recommendations to achieve that objective, upon review of a fence permit application. If the applicant refuses to make such changes, the fence permit application and drawings shall be reviewed by the Architectural Review Commission, whose decision shall be final.

4.6 HOME OCCUPATIONS

4.6-1 Purpose

4.6-2 Definition

4.6-3 General Requirements and Performance Criteria

4.6-4 Specific Requirements

4.6-5 Prohibited Home Occupations

4.6-6 Violation and Penalty

4.6-1 PURPOSE

The purpose of this Chapter is to permit the establishment of home occupations that are compatible with the residential districts in which they are located.

4.6-2 DEFINITION

A home occupation is an accessory use of a dwelling unit that is:

- A. Used for gainful employment that involves the provision, assembly, processing or sale of goods and/or services.

- B.** Incidental and secondary to the residential use of the structure and does not change the essential residential character of the dwelling unit.

4.6-3 GENERAL REQUIREMENTS AND PERFORMANCE CRITERIA

All home occupations shall comply with the following standards:

- A.** The operator of every home occupation shall reside in the dwelling unit in which the home occupation operates.
- B.** The home occupation use shall be conducted entirely within a completely enclosed structure.
- C.** The home occupation shall not interfere with the delivery of utilities or other services to the area.
- D.** The home occupation shall not generate any noise, vibrations, smoke, dust, odor, heat, glare, or electrical interference with radio or television transmission in the area that would exceed that which is normally produced by a dwelling unit in a zoning district used solely for residential purposes.
- E.** No toxic, explosive, flammable, radioactive or other restricted or hazardous material shall be used, sold or stored on the site.
- F.** There shall be no alteration of the residential appearance of the premises, including the creation of a separate, or exclusive, business entrance(s).
- G.** Signs for home occupations shall be prohibited.
- H.** No clients/pupils shall be permitted between the hours of 9pm and 7am.
- I.** No outdoor display or storage of materials, goods, supplies, or equipment shall be allowed.
- J.** The home occupation shall, at all times, comply with all other applicable laws and ordinances.

4.6-4 SPECIFIC REQUIREMENTS

In addition to the general conditions set forth in Section 4.6-3, the following specific conditions shall be met.

- A.** The total area used for the home occupation shall not exceed fifteen (15) percent or four hundred (400) square feet (whichever is less) of the habitable floor area of the dwelling.
- B.** The direct sale of products off display shelves or racks shall be prohibited.
- C.** No more than one (1) person, other than a resident of the dwelling unit, shall be employed on premises in connection with the operation of the home occupation.
- D.** No more than three (3) clients shall, at one time, avail themselves to a product and/or service provided by a home occupation nor shall more than six (6) clients avail themselves to a product and/or service during a twenty-four (24) hour period.

- E.** Off-street parking shall be required for all employees of a home occupation. Off-street parking for home occupations shall comply with Section 4.10-4 (Parking Restrictions For Single-Family Dwellings).
- F.** Deliveries pertaining to the home occupation shall be limited to such deliveries as would be normal and incidental to a residential use. Further, traffic circulation shall not be restricted or disturbed as a result of a delivery to a home occupation.
- G.** Permitted home occupations shall include, but shall not be limited to, the following:
 - 1. Attorney, CPA, Salesman, Architect/Landscape Architect, Engineer, Interior Designer, Graphic Artist, Word Processor and Consultant.
 - 2. Artist Studios, provided no retail business is conducted on the premises.
 - 3. Work processing and typing services.
 - 4. Therapists, social workers, human service professionals.
 - 5. Mail order businesses, for receipt of mail order only.
 - 6. Telephone sales.
 - 7. Teaching, instructing, tutoring, or counseling.
 - 8. Other uses similar to those listed in this Section 4.6, as determined by the Zoning Official, subject to the provisions of Section 3.16 (Appeals).

4.6-5 PROHIBITED HOME OCCUPATIONS

Certain uses by their nature of investment or operation have a pronounced tendency, once commenced, to expand beyond the scope of activity permitted for home occupations, and thereby impair the integrity of the residential district in which they are located. For this reason, the following uses, regardless of their compliance with the standards in Sections 4.6-3 and/or 4.6-4, are prohibited as home occupations.

- A.** Any repair of motorized vehicles such as repair or painting of autos, trucks, trailer, boats and lawn equipment.
- B.** Animal hospitals, kennels, stables or bird keeping facilities.
- C.** Barber shops, beauty parlors and massage establishments.
- D.** Clubs, including fraternities and sororities.
- E.** Funeral chapels or homes.
- F.** Medical or dental clinics.
- G.** Nursing homes.
- H.** Restaurants.
- I.** Warehousing.
- J.** Welding or machine shops.
- K.** Other uses similar to those listed in this Section 4.6-5, as determined by the Zoning Official, subject to the provisions of Section 3.18 (Appeals).

4.6-6 VIOLATION AND PENALTY

Violation of the specific requirements set forth in Section 4.6-4, or the general requirements set forth in Section 4.6-3, shall be deemed as a violation of this Ordinance and shall be subject to penalties as prescribed in Section 3-20 (Violations and Penalties).

4.7 ANTENNAS

The following Section shall only apply to ground-mounted or building-mounted antennas. The applicable zoning district regulations shall dictate the location of telecommunications facilities, including their antenna and support structures.

A. Antennas Subject to Administrative Review

A permit must be acquired prior to installation of any antennas within the Village. Antennas meeting the following standards shall be subject to administrative review by the Zoning Official:

1. Building-Mounted Antennas.

- a. No building mounted antenna shall create more than seventy (70) pounds of resistance to winds having a velocity of eighty (80) miles per hour except as provided in Subsection (B) of this Section.
- b. All building-mounted antennas shall be installed in all respects in compliance with the manufacturer's specifications, instructions and standards. As evidence of such compliance, a certificate in a form specified by the Village shall be executed by the installer and delivered to the Village.
- c. The height of a building-mounted antenna shall not exceed the height limitation for structures for the zoning district in which the antenna is located under the Barrington Zoning Ordinance.

2. Ground-Mounted Antennas.

- a. No ground-mounted antenna shall create more than three hundred (300) pounds of resistance to winds having a velocity of eighty (80) miles per hour except as provided in Subsection (B) of this Section.
- b. All ground-mounted antenna shall be installed in all respects in compliance with the manufacturer's specifications, instructions and standards. As evidence of such compliance, a certificate in a form specified by the Village shall be executed by the installer and delivered to the Village.
- c. All parts of the antenna, including attachments and wires shall be located within the required setback lines specified in this Ordinance.
- d. All guy or support wires shall be marked and protected to reduce the possibility of personal injury and property damage.
- e. All electronic cables leading from a ground-mounted antenna to any building shall be underground.
- f. All ground-mounted antennas must be bonded to a grounding rod.
- g. The location and quality of the proposed installation of the antenna must be amenable to safe maintenance. The location and quality of the installation must not present an attractive nuisance to children.

3. **Aesthetic Considerations.** The Village is desirous of maintaining the unique community character so highly valued by its residents and strives to promote a harmonious relationship with the environment. Furthermore, the Village endeavors to minimize the impact of antennas on adjacent properties. Therefore, the following regulations and aesthetic review guidelines shall apply to antennas placed on property within the Village:
 - a. The installation of either a ground- or roof-mounted antenna should strive to be compatible with the appearance and character of the neighboring properties, to the greatest degree practicable.
 - b. All antennas shall be erected and designed so as to reduce to the greatest degree practicable the visual impact upon surrounding property as viewed by an observer at street level on adjacent properties and on Village streets in the vicinity of such property.
 - c. All antenna installations must comply with all other provisions of the Village Code.
 - d. No ground-mounted antenna shall be installed in a front yard. No roof-mounted antenna shall be installed on a wall, side or roof of a building which faces the front yard of the property.
 - e. No antenna, except as provided in Subsection (3)(f) below, shall exceed the height limitations for structures within the zoning district in which the antenna is located; nor shall the lowest point of any ground-mounted antenna, exclusive of its base, be more than two (2) feet above the average elevation of the yard in which such antenna is located. No ground-mounted antenna shall be installed or erected on any ground or surface that has been raised, filled or landscaped for the purpose of circumventing the height restrictions of this Section.
 - f. Exceptions to Subsection (3)(e) of this Section shall be granted up to seventy (70) feet in height for antennas owned and operated by amateur radio operators holding valid Federal communication stations licenses, but only during such time as such license remains in effect and said antenna is owned and operated by such licensee. Any antenna which is not owned or operated by a valid licensee for more than ninety (90) days is no longer exempt from this provision and shall conform with all Sections of this Ordinance.

B. Antennas Subject to Review as a Special Use

Antennas exceeding the wind resistance limits of Subsections (A)(1) and (A)(2) of this Section shall be subject to special use review in accordance with the procedures outlined in Chapter 3 for special use permits. The following standards shall apply upon reviewing such antennas:

1. **General.** All roof-mounted antennas which will create more than seventy (70) pounds of resistance to winds having a velocity of eighty (80) miles per hour and all ground-mounted antennas which will create more than three hundred (300) pounds of resistance to winds having a velocity of eighty (80) miles per hour shall require review by the Architectural Review Commission, Zoning Board of Appeals and Board of Trustees prior to issuance of a permit. All permit applications for installation of an antenna covered under this Subsection (B) shall be on forms provided by the Village and shall be submitted to the Zoning Official accompanied by plans showing the following:
 - a. The proposed location of the antenna.
 - b. All structures on the subject property.
 - c. All structures on lots contiguous to the subject property.
 - d. All existing and proposed landscaping.
 - e. Manufacturer's specifications for the proposed installation.
2. All applications shall be made in writing and shall be accompanied by an applicable fee, as required by the Village. Application shall be reviewed by the Architectural Review Commission, Zoning Board of Appeals and Board of Trustees at public hearings held in accordance with Section 3.7 of this Ordinance. The Board of Trustees shall approve only those special use permit applications which meet the applicable standards listed below.

3. Roof-Mounted Antennas.

- a. A roof-mounted antenna permitted under this Subsection 4.7(B) shall be inconspicuous from the view of a ground observer from any viewing direction because of existing architectural or structural features of the building, or modifications which will be made to the existing building.
- b. A registered structural engineer shall certify that the building is capable of supporting the antenna and building modifications under subsection 4.7(B)(1) of this Section and that such structure is designed and mounted so as to safely withstand wind and other stresses to which it may be subject.
- c. Whenever possible, the highest point of any roof-mounted antenna, including mounting structure, shall not be higher than the highest point of the roof upon which the antenna is to be mounted. If it is necessary, due to building design or other factors, for the antenna to exceed the highest point of the roof structure, the highest point of the antenna shall not exceed the highest point of the roof by more than ten (10) feet. The antenna shall be screened from view on all sides, in a manner consistent with the architectural style of the building.
- d. No antenna shall be installed which produces a flat-plane load of greater than two thousand one hundred (2,100) pounds of resistance in an eighty (80) mile per hour wind.
- e. No antenna shall be attached to or supported by a chimney which creates more than seventy (70) pounds of resistance to winds having a velocity of eighty (80) miles per hour except as provided in Subsection (4) of this Section.
- f. In order for the Village to review the proposed roof-mounted antenna, the applicant shall supply the Village with three (3) copies of the following information:
 - 1) Wind loading calculations.
 - 2) Details of the bracket and base configuration of the antenna.
 - 3) Size of the proposed antenna, including its height from the base and its maximum width.
 - 4) Weight of the proposed antenna.
 - 5) Complete drawings of the structure on which the antenna is to be mounted.
 - 6) A letter from a structural engineer certifying that the roof will withstand torque loading at one hundred (100) mile per hour winds.

4. Ground-Mounted Antennas.

- a. A registered structural engineer shall certify that the antenna is designed and mounted so as to safely withstand wind and other stresses to which it may be subjected. In order for the Village to review the proposed ground-mounted antenna, the applicant shall supply the Village with three (3) copies of the following calculations:
 - 1) Wind loading calculations.
 - 2) Details of the bracket and base configuration of the antenna.
 - 3) Size of the proposed antenna, including its height from the base and its maximum width.
 - 4) Weight of the proposed antenna.
 - 5) Complete drawings of the mounting and foundation structure on which the antenna is to be mounted.
 - 6) Topographical drawing showing the location of the antenna on the property and elevations of the property.
 - 7) A letter from a structural engineer certifying that the strength of the mounting and foundation structure will withstand torque loading on the antenna in one hundred (100) mile per hour winds.
- b. The installation of an antenna will be such as to minimize its overall visibility from neighboring properties and public ways during all seasons of the year. In order to minimize the visibility of ground-mounted antennas, the Architectural Review Commission, Zoning Board of Appeals and Village Board may require that a natural screen or fence be erected. The natural screen shall be a

minimum of four (4) feet tall, with the plantings spaced two (2) to three (3) feet apart. If a fence is required, it shall also be a minimum of four (4) feet tall. However, any required screening shall not interfere with the antenna's ability to send and/or receive signals.

- c. No antenna shall be installed which produces a flat-plane load of greater than two thousand one hundred (2,100) pounds of resistance in an eighty (80) mile per hour wind.
- d. In considering whether to grant permits for antennas which exceed the resistance limits of Subsections (A)(1) and (A)2 of this Section, the Zoning Board of Appeals and Village Board shall take into account the number of existing antennas on the subject property. In order to control the proliferation of duplicate antennas upon the community, the Zoning Board of Appeals and Village Board shall also consider minimizing and coordinating antennas that perform similar functions.

C. Mobile Antennas

A mobile dish antenna may be utilized in any nonresidential district of the Village for no longer than one (1) week without the approval of the Village Board. Such antennas shall be subject to the following requirements:

- 1. The antenna shall be immediately movable and not affixed to the ground or improvement in any way.
- 2. The written approval of the owner of the property on which the dish is to be located must be provided to the Village seven (7) days in advance of its utilization.
- 3. The location of the antenna must be approved in advance by the Zoning Official, or his/her designee, who shall take into account aesthetic and public safety factors.
- 4. The owner of the property and the owner of the antenna shall jointly execute a release and indemnity agreement in form satisfactory to the Village, releasing the Village from, and holding it harmless, against any claims or liabilities that might arise out of the use of the antenna.

4.8 TEMPORARY USES

- A. Temporary uses, as defined in this Ordinance, shall be permitted in all zoning districts, subject to the restrictions and standards established in this Ordinance. No temporary use or structure shall continue for such a length of time that it constitutes a permanent use. Recurring temporary uses and structures, where the same temporary use or structure is established on the property on an annual basis or other regular period basis, shall only be permitted as a special use and shall be subject to the regulations of Chapter 3 of this Ordinance.
- B. Restrictions on occasional sales (e.g. garages sales, rummage sales, estate sales, or yard sales) on private residential property are outlined in Chapter 13, Article IV, Division II of the Village Code, and are exempt from the standards of this Section.
- C. Temporary Uses and Structures Subject to Administrative Review. The following temporary uses and structures are permitted in any zoning district if they meet the requirements of this Ordinance and the Barrington Building Code, and receive a temporary use permit from the Zoning Official:
 - 1. Construction trailers, storage sheds and yards used for construction equipment and material, excluding bulk storage of hazardous or flammable materials, and portable lavatories provided that:
 - a. The trailer, shed, storage area or portable lavatory is incidental to the construction of a building development.
 - b. The trailer, shed, storage area or portable lavatory is located on the same lot as the building development, or an abutting lot with the written consent of the property owner.
 - c. The trailer, shed, storage area, or portable lavatory shall remain on the property no longer than the time of construction.
 - d. The trailer, shed, storage area or portable lavatory shall be located no closer than twenty (20) feet from any other property located in a residential district.

2. Mobile home for temporary use as office and/or exhibition, provided that:
 - a. The structure under construction is on the same property.
 - b. It is not moved to the site more than thirty (30) days prior to construction and is removed no later than thirty (30) days after construction has been completed.
 - c. It is not used for any purpose other than that connected with on-site construction.
 - d. It is justified by the size and nature of the construction project.
 - e. It remains for a period not to exceed twenty-four (24) months.
 - f. It is utilized only incidental to on-site construction during daylight hours and not for residential living quarters.
 - g. It is parked in a location approved in advance by the Zoning Official.
 - h. It is skirted in a manner approved in advance by the Zoning Official.
 - i. If it is to be utilized as a sales office, it shall provide adequate designated customer parking, as determined appropriate by the Zoning Official.
3. Christmas tree sales lots, provided that:
 - a. The use is located on a lot that fronts a collector or arterial street.
 - b. The use is located on a vacant lot or parking area.
 - c. The trees are located at least fifty (50) feet from any structure on another lot.
 - d. Trees and temporary structures remaining on hand after December 25 shall be removed from the premises no later than December 31 of the same year.
4. Temporary miscellaneous outdoor sales including, but not limited to, art, craft, bake, and book sales not subject to Chapter 13, Article VI, Division II of the Village Code.
5. Sidewalk sales, provided that a minimum six (6) foot accessible path shall be maintained for pedestrians.
6. Temporary tents, provided that:
 - a. Tents shall not be erected for more than 30 days in any calendar year.
 - b. Tents shall be located on private property, and shall be erected only with the prior written permission of the property owner. Tents may be located on Village of Barrington property only with the prior written permission of the Village of Barrington.
 - c. No more than one sign shall be permitted on the exterior of the tent. (Such sign shall not be counted against other temporary signs permitted on the premises.)
 - d. A permit to erect the tent shall be obtained from the Zoning Official, who shall require such information as deemed necessary for issuance of the permit.
 - e. The height and setbacks of the tent shall conform to the regulations of the zoning district in which the premises is located, unless otherwise deemed appropriate and approved by the Village Manager.
 - f. The use conducted in the tent shall be a use permitted in the zoning district in which the premises is located, unless otherwise deemed appropriate and approved by the Village Manager.
7. Other such temporary uses as may be deemed necessary by the Village Manager, to address emergency or special situations. Such temporary uses shall be valid for a maximum of ninety (90) days, with a maximum renewal of an additional ninety (90) days, if deemed appropriate by the Village Manager. Such temporary uses shall not constitute a threat to the health, safety or welfare of occupants and users of the temporary use, or to adjacent properties or persons.

D. Temporary Uses and Structures Subject to Review by the Village Board

The following temporary uses and structures are permitted in any zoning district if they meet the requirements of this Ordinance and receive a temporary use permit from the Village Board:

1. Carnivals, outdoor festivals, or other public interest and special events, provided that:
 - a. Trailers and other equipment do not block driveways or other points of emergency vehicular access to any property, or any portion of the public way.
 - b. The operation will be located entirely within the private or public property designated for the event.
 - c. The event will only be permitted during hours when the facility's parking would not be used for the primary use's high traffic generation activities.
 - d. If deemed necessary by the Police Chief or Fire Chief, property access and security may be controlled by special personnel paid for by the applicant. Prior to receiving a permit, the applicant must provide written communication from the Police Chief and Fire Chief that adequate provisions have been made.
 - e. The Health Department shall approve the sanitary provisions. Prior to receiving a permit, the applicant must provide written communication from the Health Department that adequate provisions have been made.
 - f. The Building Official shall approve all electrical and lighting facilities. Prior to receiving a permit, the applicant must provide written communication from the Building Official that adequate provisions have been made.
 - g. Maximum noise levels or hours of operation may be established by the Village. The levels or hours of operation may be based on the distance of the site to adjoining residential uses and any history of complaints about similar events, or other factors deemed relevant by the Village.
 - h. The applicant shall provide surety for complete site restoration upon the event's conclusion or should the permit be revoked, if required by the Village Board.
2. Produce and farmers markets.
3. Public or Employee/Employer Parking.

4.9 SITE LIGHTING

A. Intent

Exterior lighting is regulated to eliminate spill-over and glare on adjacent properties, motor vehicle operators, and pedestrians within the light source's proximity. Safety considerations are the basis for these regulations, especially with respect to motor vehicles. In addition, the regulations are developed to protect against both nuisance and hazard aspects of glare or excess light.

B. Applicability

This Section shall apply to all uses except the following:

1. Public street lighting shall conform to standards set by the State Department of Transportation, Lake and Cook County Departments of Transportation, and the Village of Barrington Public Works Department.
2. Residential uses are permitted to use low-intensity {forty (40) watts or less per bulb} incandescent or fluorescent lighting mounted on the buildings or as landscape or entrance accents. Any high-intensity {more than forty (40) watts per bulb} incandescent, fluorescent, mercury vapor, metal halide or high pressure sodium lighting shall be prohibited on residential property unless a lighting plan is submitted and approved, per Subsection C. below.

3. Holiday lighting under five (5) watts per bulb.
4. Residential lighting that has a light level of one-half (1/2) foot-candle or less at the property line.

C. Exterior Lighting Plan

Any time exterior lighting is installed or substantially modified, and whenever a site undergoes site plan review, a lighting plan shall be required. The exterior lighting plan shall consist of the following information:

1. Photometric plan which shows proposed intensity of illumination in foot-candle values distributed across the entire site in a grid-like fashion. This grid shall be overlaid on the site plan.
2. Proposed lighting fixture details which show the height, design, method of shielding and proposed candlepower of the light source.

D. Lighting Standards Applying to All Light Sources

The following standards are required of all exterior lighting:

1. All cut-off light fixtures shall be designed with a hood that shields the light source and is directed downwards at all times.
2. No flickering or flashing lights shall be permitted, other than holiday lighting exempted under Section 4.9(B)(3).
3. Flood lights are not permitted in front yards.
4. Lighting levels shall be measured in foot-candles with a direct-reading, portable light meter. Readings shall be taken at heights between six (6) feet above the ground and six (6) inches above the ground, at a position facing the light source. Readings shall be taken only after the meter has been exposed long enough to provide a constant reading. Measurements shall be made after dark with the light sources in question in operation, and then turned off. The difference between the two (2) readings shall be compared to the maximum permitted illumination. This procedure eliminates the effects of moonlight and other ambient light.

E. Standards for Building Mounted Lights

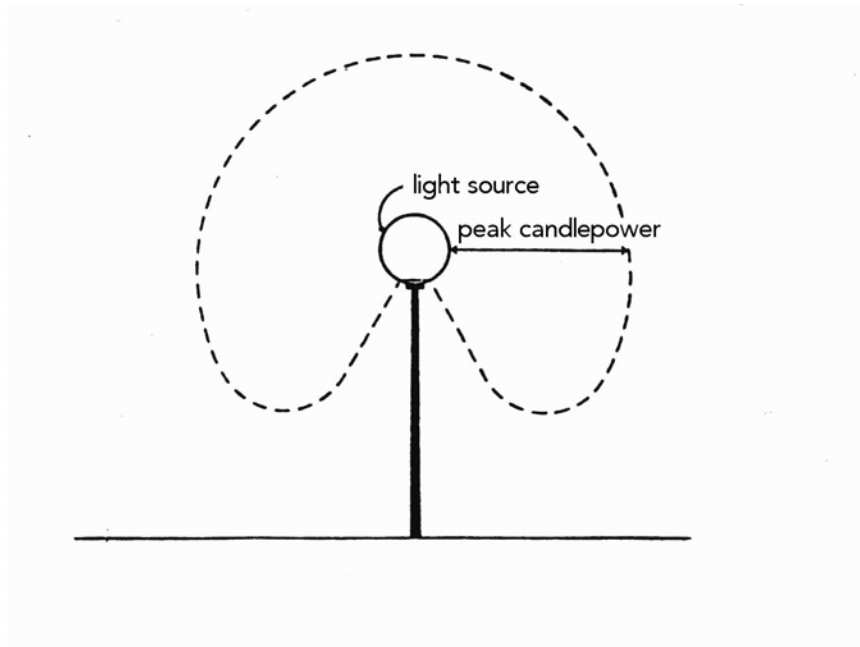
Building mounted lights shall be cut-off. The light sources shall be hooded and directed downward at all times. Non-shielded light sources shall only be permitted for security purposes, provided that illumination at the nearest property line(s) does not exceed the maximum permitted under 4.9(F)(1)(a) and 4.9(F)(1)(b) below.

F. Standards for Pole Lights

The maximum permitted light pole height is dependent upon the amount of cut-off provided in order to minimize glare onto adjacent properties and the public right-of-way.

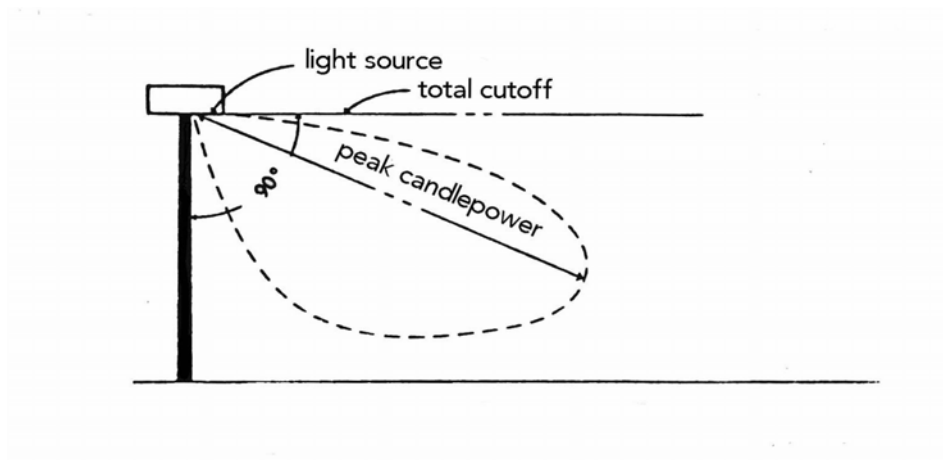
1. When the light source has no cut-off:
 - a. Maximum permitted illumination as measured at property lines abutting residential districts shall be one-quarter (0.25) footcandle.
 - b. Maximum permitted illumination as measured at property lines abutting nonresidential districts or the public right-of-way shall be one-half (0.50) footcandle.
 - c. Maximum permitted pole height shall be ten (10) feet. (See Figure 4.9-A)

Figure 4.9-A No Cut-Off Light Source



2. When the light source has total cut-off of an angle greater than, or equal to, ninety (90) degrees:
 - a. Maximum permitted illumination as measured at property lines abutting residential districts shall be one-half (0.50) footcandles.
 - b. Maximum permitted illumination as measured at property lines abutting nonresidential districts or the public right-of-way shall be one (1) footcandle.
 - c. Maximum permitted pole height shall be fifteen (15) feet. (See Figure 4.9-B)

Figure 4.9-B 90 Degree Light Source



3. When a light source has a total cut-off of an angle less than ninety (90) degrees and the light source is completely shielded from the direct view of an observer at a point five (5) feet above the ground, at the point where the cut-off angle intersects the ground:
- a. Maximum permitted illumination as measured at property lines abutting residential and nonresidential districts or the public right-of-way shall be one (1) footcandle.
 - b. Maximum permitted pole height shall be twenty (20) feet. (See Figure 4.9-C)

Figure 4.9-C Light Source with Less than 90 Degree Cut-Off

